IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO: 19259 of 1997

Between:

1. Uma Maheswari Weddera Labour Contract Co-operative Society Ltd., rep. by its President E. Nageswara Rao
Thallagada Mandal, Khammam District.
2. Harijana Labour Painters Contract Co-operative Society Ltd., rep. by its President D.Yellaiah, Enomamula, Hanumakonda, Warangal.
3. Harijan Labour Contract Co-operative Society Ltd., rep. by its President Jannu Adam, Deshaipet, Warangal.

... PETITIONERS

AND

1 Superintending Engineer Irrigation Circle
Warangal.
2 Superintending Engineer Irrigation Circle
Eluru.
3 Superintending Engineer Irrigation Circle
Red Hills Hyderabad.
4 Superintending Engineer G.V.C.Circle-IV
L.M.D.Colony Karimnagar.
5 Superintending Engineer Construction Circle
K.C.Camp Huzurabad.
6 Superintending Engineer Telugu Ganga Project Circle
Nellore.
7 Superintending Engineer Telugu Ganga Project Circle
Sri Kalahasthi
8 Superintending Engineer Telugu Ganga Project Circle
Guntur.
9 Superintending Engineer Telugu Ganga Project Circle
Dawaleshwaram
10 Superintending Engineer P.J.P.Ciecle
Pebbair.
11 Superintending Engineer S.L.B.C.Circle-I & II

G.V.Gudem Nalgonda.
12 Superintending Engineer Public Health
Warangal.
13 Superintending Engineer Irrigation Circle
Visakhapatnam.
14 Superintending Engineer R&B Circle
Warangal.
15 Superintending Engineer R&B Circle
Nellore
16 Superintending Engineer R&B Circle
Karimnagar.
17 Superintending Engineer R&B Circle
Eluru.
18 Superintending Engineer R&B Circle
Guntur.
19 Superintending Engineer R&B Circle
Visakhapatnam.
20 Superintending Engineer Panchayat Raj Circle
Khammam.
21 Superintending Engineer Panchayat Raj Circle
Nalgonda.
22 Superintending Engineer Panchayat Raj Circle
Warangal.
23 Superintending Engineer Panchayat Raj Circle
Guntur.
24 Superintending Engineer Panchayat Raj Circle
Karimnagar.
25 Executice Engineer Marketing.
Warangal.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ of mandamus declaring the action of the respondents in insisting the petitioner societies for payment of Earnest Money Deposit, Commercial tax clearance certificate or imposing any condition or experience in connection with all tender notices issued on or after 1-7-1997 arbitrary, illegal, and unreasonable and consequently direct the respondents not to insist payment or Earnest Money Deposit, Commercial tax clearance certificate from the petitioners at the time of the allotment of works in tender notices issued on or after 1-7-1997. Issue tender schedules to the petitioners in such all other notices irrespective of conditions of experience, disregarding district whichever they register and pass such other order or orders are deemed fit and proper.

Counsel for the Petitioners: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV. FOR R

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents in insisting the petitioner societies for payment of Earnest Money Deposit, Commercial tax Clearance Certificate or imposing any condition or experience in connection with all the tender notices issued on or after 01-07-1997 as arbitrary, illegal and consequently direct the respondents not to insist payment of Earnest Money Deposit, Commercial tax Clearance Certificate from the petitioners at the time of allotment of works in tender notices issued on or after 01-07-1997.

2. When the matter is taken up for hearing, none appeared for the petitioner, nor was there any representation on his behalf.

3. Learned Government Pleader for Panchcyat Raj & Rural Development appearing for the respondents submits that due to lapse of time, the prayer in the writ petition has infructuous and no orders need be passed.

Accordingly, the writ petition is dismissed as having become infructutous. No order as to costs.

_____

N.V. RAMANA, J

April 4, 2005

Glv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to. -

1 *Superintending Engineer Irrigation Circle*
Warangal.
2 *Superintending Engineer Irrigation Circle*
Eluru.
3 *Superintending Engineer Irrigation Circle*
Red Hills Hyderabad.
4 *Superintending Engineer G.V.C.Circle-IV*
L.M.D.Colony Karimnagar.
5 *Superintending Engineer Construction Circle*
K.C.Camp Huzurabad.
6 *Superintending Engineer Telugu Ganga Project Circle*
Nellore.
7 *Superintending Engineer Telugu Ganga Project Circle*
Sri Kalahasthi
8 *Superintending Engineer Telugu Ganga Project Circle*
Guntur.
9 *Superintending Engineer Telugu Ganga Project Circle*
Dawaleshwaram
10 *Superintending Engineer P.J.P.Ciecle*
Pebbair.
11 *Superintending Engineer S.L.B.C.Circle-I & II*
G.V.Gudem Nalgonda.
12 *Superintending Engineer Public Health*
Warangal.
13 *Superintending Engineer Irrigation Circle*
Visakhapatnam.
14 *Superintending Engineer R&B Circle*
Warangal.
15 *Superintending Engineer R&B Circle*
Nellore
16 *Superintending Engineer R&B Circle*
Karimnagar.
17 *Superintending Engineer R&B Circle*
Eluru.
18 *Superintending Engineer R&B Circle*
Guntur.
19 *Superintending Engineer R&B Circle*
Visakhapatnam.
20 *Superintending Engineer Panchayat Raj Circle*
Khammam.
21 *Superintending Engineer Panchayat Raj Circle*
Nalgonda.
22 *Superintending Engineer Panchayat Raj Circle*
Warangal.
23 *Superintending Engineer Panchayat Raj Circle*
Guntur.
24 *Superintending Engineer Panchayat Raj Circle*
Karimnagar.
25 *Executice Engineer Marketing.*
Warangal.

Two C.C. s to the G.P. for Panchayat Raj & Rural Development, High Court of A.P., Hyderabad (OUT)

Two C.D. Copies.